



2 June 2008

Secretary Ian Bowles
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114
ATT: MEPA Office

RE: EOE #12958- Feasibility Report and Draft
Environmental Impact Report, Boston Harbor
Deep Draft Navigation Improvement Project

Dear Secretary Bowles:

The Boston Harbor Association is a non-profit, public interest organization founded in 1973 by the League of Women Voters and the Boston Shipping Association to promote a clean, alive, and accessible Boston Harbor. We have reviewed the April, 2008 Feasibility Report and Draft Environmental Impact Report for the Boston Harbor Deep Draft Navigation Improvement Project submitted by the Massachusetts Port Authority and the U.S. Army Corps of Engineers.

The Boston Harbor Association is a member of the proposed project's Technical Working Group, comprised of environmental representatives, scientists, city, state and federal representatives, and local stakeholders, and has been kept apprised of the project as well as the results of the prior maintenance dredging project.

Based on a review of the Draft Environmental Impact Report and briefings for the Technical Working Group, The Boston Harbor Association strongly supports the preferred alternative of the Deep Draft Navigation Improvement Project, which calls for deepening the Broad Sound North Entrance Channel of the Harbor to 50 feet, and the Main Ship Channel up to the Reserved Channel, the President Roads Anchorage, the Reserved Channel and its Turning Area to 48 feet.

The proposed alternative, known as Plan B, would allow existing companies calling on Conley Terminal in South Boston to use larger ships, and could potentially help attract additional container lines. During the past decade, the trend has continued where Boston is no longer a significant manufacturing center, but rather, a major distribution center for goods to the Northeast region. The Port of Boston will in the foreseeable future continue to receive extensive tonnage of imports (particularly from Asia) for distribution in the region, with some exports of raw materials such as scrap metal, paper, wood products, and some finished products.

Implementation of Plan B will allow deeper draft vessels into the Port of Boston. Two types of ships were modeled in the Draft Environmental Impact Report: a 4,700 TEU (twenty-foot equivalent unit, the measurement size for cargo containers) Panamax ship that shippers believe will most likely call on the Port of Boston if deepened, and a larger 5,600 TEU ship which potentially may be used by existing companies if the channel is deepened (page 135, Draft EIR). According to the Draft EIR, a fully-loaded Panamax vessel requires 48 feet of water depth in the harbor channels and 50 feet of water depth in the entrance channel (page 135).

In addition, the Draft EIR (page 71) examined the planned use of the Massport Marine Terminal in South Boston by larger ships. Expanded use of the Marine Terminal would be for bulk carriers with cement, salt, gypsum, frozen seafood, and/or manufactured goods, with larger vessels eventually requiring 45 feet depths (main ship channel deepening above the Reserved Channel Turning Area).

As the project proponents continue to secure the necessary environmental permits, we ask that the following issues be further addressed:

Beneficial Re-use of Dredged Materials: We highly commend Massport and the U.S. Army Corps of Engineers for including a detailed analysis of the potential beneficial re-use of the dredged materials to be generated by this project.

According to the DEIR, two types of the dredged materials may potentially be suitable for re-use. In the first instance, blasted ledge, cobble, gravel, and other stony materials may be

suitable for creation of hard bottom habitat favored by lobsters and other species in Boston Harbor and/or Massachusetts Bay (page 170 of DEIR). Algonquin's Hubline project, for example, re-used some of its materials to create hard-bottom habitat, although on a much smaller scale than proposed for this project.

As indicated in the DEIR, further evaluation needs to occur regarding two potential sites for hard-bottom habitat creation, and a plan needs to be developed for the placement of materials on the ocean floor. In addition, the final Environmental Impact Report should detail an evaluation and monitoring program to determine how successful the habitat creation and colonization efforts are.

In the second instance, Boston Blue Clay, a stiff impervious clay, will be removed from the President Roads Anchorage and upper channel reaches. The Boston Blue Clay and other unconsolidated materials may potentially be suitable for capping the former Industrial Waste Site in Massachusetts Bay.

The former Industrial Waste Site overlaps and extends north of the current Massachusetts Bay Disposal Site in the Stellwagen Basin, and was used for the disposal of chemical, medical, and radiological wastes from the 1940s to the 1970s (page 174 of Draft Environmental Impact Report). The waters around the Site were also used for disposal of construction waste, demolition debris, and derelict vessels.

The area in and around the former Industrial Waste Site is currently trawled by fishermen, and capping of the Site would reduce the potential of catching the debris, some of which is quite contaminated, in fishing nets. We strongly support a proposed demonstration project suggested by the project proponents, with care taken to ensure that ambient sediment does not become re-suspended during the disposal process.

Minimizing Impacts to Marine Life: In the past five years, thanks to the efforts of the Massachusetts Water Resources Authority, Boston Water and Sewer Commission, Department of Environmental Protection, City of Boston, and many others, Boston Harbor is cleaner than ever. A number of shellfish beds have re-opened near Logan Airport and Winthrop, and there are many more lobster traps in Boston Harbor.

Consistent with environmental mitigation requirements imposed upon the Algonquin Hubline project, we ask that a communications system be established with the fishing and lobstering communities regarding construction activities and timing to avoid impacts to lobster gear, and/or a monetary fund to compensate lobstermen in the event of damage to lobster traps located outside of the federal navigation channel from dredging or mobilization activities. In the case of the Algonquin project, a \$50,000 fund was established for damage to lobster gear outside of the federal navigation channel, which ultimately was not fully utilized due to limited impact upon lobster traps from that project.

The DEIR notes that four fish mortality events occurred in fall, 2007 during the ledge pinnacle removal project of the Boston Harbor maintenance dredging project. Subsequent to the first mortality event, the Army Corps of Engineers met with its contractor to identify ways to prevent other mortality events. In spite of these measures, three other mortality events occurred during blasting events by the contractor.

We are concerned about the inability of the contractor to prevent fish mortality events during the Harbor maintenance dredging activities last year, and urge the permitting agencies to impose strict requirements upon the project proponents and their contractors to prevent any fish mortality events as part of this project.

Other Environmental Mitigation Measures: Because of adverse environmental impacts from the Algonquin Hubline project, the state permitting agency required, amongst other conditions, a \$5 million contribution to the not-for-profit Island Alliance organization to support use of the Harbor Islands.

In the event that adverse environmental impacts are identified with this proposed project, we ask the state permitting agency to consider requiring, amongst other conditions, a monetary contribution to support water transportation in Boston Harbor and Massachusetts Bay if water transportation service is impacted from construction activities of this project.

On-going Environmental Oversight: In addition to local, state, and federal regulatory oversight of this project, we ask that a Technical Advisory Group continue to meet regularly to review progress of the project, any monitoring data with the project's

independent environmental observer, and to discuss prevention measures in the unlikely event of fish mortality events or other environmental incidences.

Thank you for your consideration. We look forward to timely approval of this much-needed project.

Sincerely,

Vivien Li
Executive Director
The Boston Harbor
Association